

Amendment

In response to the Office Action dated December 12, 2001, the Examiner is respectfully requested to enter and consider the following amendments and remarks in the above-identified application.

✓IN THE CLAIMS

✓Please cancel Claims 12-15 without prejudice to or disclaimer of the subject matter recited therein.

Please amend Claims 9-11 as follows. A marked-up copy of Claims 9-11 showing the changes made thereto, is attached. Note that all the claims currently pending in this application, including those not presently being amended, have been reproduced below for the Examiner's convenience.

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Cmt
9. (Amended) A driving apparatus comprising:

a rotary shaft driven at a predetermined speed;

a first damper having spring characteristics and dash pot characteristics and for absorbing a vibration of said rotary shaft while the rotary shaft is accelerated until the rotation speed of the rotary shaft becomes the predetermined speed; and

a second damper for applying a larger inertia to said rotary shaft during rotation at the predetermined speed than while the rotary shaft is accelerated until the rotation speed of the rotary shaft becomes the predetermined speed.

10. (Amended) A driving apparatus according to Claim 9, wherein said first damper comprises:

a rubber material attached to said rotary shaft; and
an inertia member attached to the rubber material.

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CANCELED

11. (Amended) A driving apparatus according to Claim 9, wherein said second damper comprises:

a hub attached to said second damper and having magnetic properties;
an inertia member disposed out of contact with said hub and having a magnetic force; and
a low frictional material disposed in contact with both said hub and said inertia member between said hub and said inertia member and for transmitting a drive force from said hub to said inertia member by a friction force.

REMARKS

Summary

Amended independent Claim 9 recites at least one feature not disclosed or suggested by the patent to Murakami, et al. Therefore, is the outstanding rejection of this claim over this patent still proper?

Status of the claims

Claims 9-11 are pending. Claims 12-15 have been canceled without prejudice. Claim 9 is independent.

Requested action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Applicants also respectfully request that this Amendment be entered. This Amendment could not have been presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicants believe that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, for the reasons discussed below, Applicants submit that this Amendment places the application in condition for allowance. At the very least, it is believed to place the application in better form for appeal. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Formal rejection

Claim 11 is rejected under 35 U.S.C. § 112, second paragraph. In response, while not conceding the propriety of the rejection, Claim 11 has been amended to address the points raised by the Examiner. Applicants submit that as amended, this claim even more clearly satisfies 35 U.S.C. § 112, second paragraph.

Substantive rejections

Claims 9 and 11 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,213, 737 (Murakami, et al.). Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the patent to Murakami, et al.

Response to substantive rejections

In response, while not conceding the propriety of the rejections, independent Claim 9 has been amended. Applicants submit that as amended, Claim 9 is allowable for the following reasons.

Independent Claim 9 relates to a driving apparatus comprising a rotary shaft driven at a predetermined speed, a first damper, and a second damper.

Claim 9 has been amended to recite that the first damper has spring characteristics and dash pot characteristics and is for absorbing a vibration of the rotary shaft while the rotary shaft is accelerated until the rotation speed of the rotary shaft becomes the predetermined speed.

Claim 9 has also been amended to recite that the second damper is for applying a larger inertia to the rotary shaft during rotation at the predetermined speed than while the rotary shaft is accelerated until the rotation speed of the rotary shaft becomes the predetermined speed.

By using these two dampers, the vibration of the shaft during acceleration can be attenuated and vibration during rotation at a predetermined speed can be reduced, thereby producing stable rotation at a constant speed.

In contrast, the patent to Murakami, et al. merely discloses two damper devices 47 and 54, essentially identical in structure. The damper device 47 comprises a permanent magnet 58, and a pair of magnetic poles 59. Thus, this patent does not disclose or suggest two different dampers, as recited by amended Claim 9. In addition, neither of these damper devices 47 and 54 are understood to constitute a second damper for applying a larger inertia to the rotary shaft during rotation at the predetermined speed than while the rotary shaft is accelerated until the rotation speed of the rotary shaft becomes the predetermined speed, as recited by amended Claim 9.

The failure of this patent to disclose or suggest at least these features of amended Claim 9 proves fatal to establishing anticipation of amended Claim 9 under 35 U.S.C. §102, since MPEP §2131 states:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

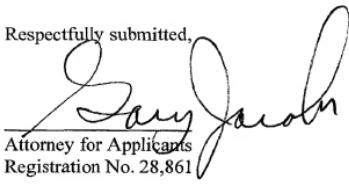
For this reason, amended Claim 9 is allowable over this patent.

The dependent claims are allowable for the reasons given with respect to the independent claims and because they recite features which are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the claims are now in allowable form and entry of this Amendment is considered proper. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


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